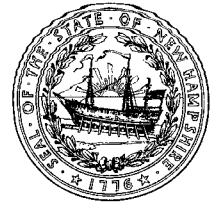




The State of New Hampshire  
*Department of Environmental Services*



Michael P. Nolin  
Commissioner

**LETTER OF DEFICIENCY  
WET 06-078**

August 8, 2006

Brenda Carnes and  
Wayne Lambombard  
PO Box 77  
Hillsborough, NH 03244

RE: DES Wetlands File #2005-02008 All Wheel Dr, Windsor

Dear Ms. Carnes and Mr. Lombombard:

On June 14, 2006, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Windsor Tax Map 6 as Lot 18 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiencies were documented:

1. Approximately 60 feet of jurisdictional wetland and an intermittent stream had been crossed to construct a driveway. Slash had been placed in the wetland adjacent to the road.
2. A culvert had been installed in the stream.
3. Headwalls had not been constructed at the inlet and outlet of the culvert, resulting in erosion around the culvert and deposition of sediment in the wetland and stream channel. Sediment deposition was observed in the stream channel 30 feet downstream of the crossing at the time of the site visit.
4. A roadside ditch had been excavated. Bare soils in the ditch were observed to be eroding and contributing to the sedimentation of the stream and wetland.
5. Approximately 200 square feet of wetland had been filled to construct a turnout adjacent to the road.

In response, you are requested to take the following actions:

1. **Immediately** stabilize all eroding soils by seeding and covering with mulch.
2. **Immediately** remove all slash from the wetland.
3. **Within 10 days of the date of this letter**, using hand tools only remove the sediment deposited in the stream channel and wetland. Remove the sediment down to the level of the original hydric soils in the wetland and stream bed.
4. **Within 20 days of the date of this letter**, submit photo documentation to DES showing that the above actions in #'s 1, 2 and 3 have been completed.
5. **Within 10 days of the date of this letter**, retain a New Hampshire certified wetland scientist to delineate the wetland boundary and submit a Standard Dredge and Fill application to retain the culvert and wetland fill. Submit documentation in writing to DES indicating the name of the wetland scientist.
6. **Within 30 days of the date of this letter**, submit a Standard Dredge and Fill application to construct a culvert crossing and wetland fill associated with the driveway. This crossing must meet current permitting standards.
7. **Within 60 days of the date of this letter**, remove the wetland fill for the turnout. Submit photo

documentation showing the fill has been removed.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

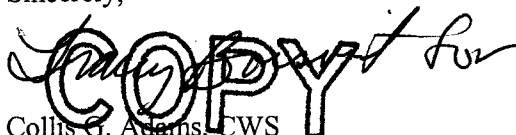
Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Dawn Buker, Compliance Specialist  
Wetlands Bureau  
Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, please contact Dawn Buker at (603) 271-4066.

Sincerely,



Collis G. Adams, CWS  
Administrator  
Wetlands Bureau

CERTIFIED MAIL 7006 0100 0005 8153 5122

cc: Rene Pelletier, Asst. Director, Water Division  
Gretchen R. Hamel, Administrator, DES Legal Unit  
Windsor Conservation Commission  
Windsor Board of Selectmen  
USACOE